

§ 602.5

§ 602.5 Notice to accrediting agencies of Federal actions.

(a) If the Secretary takes an action against an institution or program, the Secretary notifies the appropriate accrediting agency or agencies no later than 10 days after taking that action.

(b) If the Secretary is informed that another Federal agency is taking an action against an institution or program, the Secretary notifies the appropriate accrediting agency or agencies as soon as possible but no later than 10 days after learning of that action.

(c) If an institution is referred for review under the State Postsecondary Review Program, the Secretary notifies the institution's accrediting agency or agencies at the same time the Secretary notifies the State Postsecondary Review Entity.

(Authority: 20 U.S.C. 1099b)

Subpart B—Recognition and Termination Procedures

§ 602.10 Application for recognition.

(a) An accrediting agency seeking initial or renewed recognition by the Secretary as a nationally recognized accrediting agency submits a written application to the Secretary. The application for recognition consists of—

(1) A statement of the agency's requested scope of recognition;

(2) Evidence of the agency's compliance with the criteria for recognition set forth in this part; and

(3) Supporting documentation.

(b) An accrediting agency's application for recognition constitutes a grant of authority to the Secretary to conduct site visits and to gain access to agency records, personnel, and facilities on an announced or unannounced basis.

(c) The Secretary does not make available to the public any confidential agency materials examined by Department personnel or the Secretary as part of the Secretary's evaluation of either an accrediting agency's applica-

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tion for recognition or its compliance with the requirements for recognition.

(Approved by the Office of Management and Budget under control number 1840-0607)

(Authority: 20 U.S.C. 1099b)

[59 FR 22253, Apr. 29, 1994, as amended at 59 FR 46175, Sept. 7, 1994]

§ 602.11 Preliminary review by the Secretary.

(a) Upon receipt of an accrediting agency's application for initial or renewed recognition, the Secretary—

(1) Establishes a schedule for the review of the agency by the designated Department official, the National Advisory Committee on Institutional Quality and Integrity, and the Secretary;

(2) Publishes notice of the agency's application in the FEDERAL REGISTER, inviting public comment on the agency's compliance with the requirements for recognition and stipulating a deadline for receipt of public comment; and

(3) Provides State Postsecondary Review Entities and other appropriate organizations with copies of the notice described in paragraph (a)(2) of this section.

(b)(1) The designated Department official analyzes the accrediting agency's application to determine whether the agency satisfies the requirements of this part, taking into account all available relevant information concerning the compliance of the agency with the requirements for recognition. The analysis includes—

(i) Site visits, on an announced or unannounced basis, to the agency and, at the Secretary's discretion, institutions or programs it accredits;

(ii) Review of public comment and other third-party information received or solicited by the Secretary, as well as any other information provided to the Secretary, concerning the performance of the agency in relation to the requirements of this part; and

(iii) Review of complaints or legal actions involving the agency.

(2) The designated Department official's evaluation may also include a review of information directly related to